

REMARKS

By this Amendment, claims 1-9, 11 and 18 are canceled without prejudice or disclaimer, claims 10 and 12 are amended to both clarify the recited subject matter and overcome the rejection under 35 U.S.C. 112, second paragraph, claims 15 -16 are amended to merely clarify the recited subject matter, and new claims 21-30 (patentable for reasons similar to those presented herein) are added to more fully claim the disclosed invention. Claims 10, 12-17 and 19-30 are pending.

Additionally, by this Amendment, the specification is amended to include information that was included in the parent PCT application (as indicated by the attached copy of page 17 of the parent PCT application) but inadvertently omitted from the present application's specification. Applicant notes that, based on the present application's status as a continuation of the parent PCT application, that application's content is incorporated by reference. Therefore, the re-incorporation of the omitted subject matter does constitute an introduction of new matter.

The Office Action rejected claims 10, 12-17 and 19-20 as being anticipated by Kiesel et al. (U.S. 4,623,865; hereafter "Kiesel"). Applicant traverses the rejection because Kiesel fails to disclose, teach or suggest the claimed noise suppressor unit including "a holder for holding the common mode choke, said holder having a bottom surface and a top surface, and at least one lifting element, said lifting element being an elevation which projects substantially from a middle of the top surface of the holder, said lifting element projecting through the common mode choke and including a grip surface being located further away from the holder than the outermost point of the common mode choke," as recited in independent claim 10 and its dependent claims.

The Office Action failed to analyze whether the claimed feature that the grip surface is located further away from the holder than the outermost point of the common mode choke was taught or suggested by Kiesel. Therefore, Applicant suspects that that claim feature was not considered when determining patentability of claim 10.

Although the Office Action referred to Fig. 4 of Kiesel, that figure illustrates that the winding 17 is higher than the projection 22, which would mean that the projection 22 does not include any grip surface which would be located further away from the holder 23 than the outermost point of the winding 17 (when the apparatus has been assembled). Therefore, Fig. 4 of Kiesel and Kiesel generally, fail to teach or suggest the invention recited in claim 10.

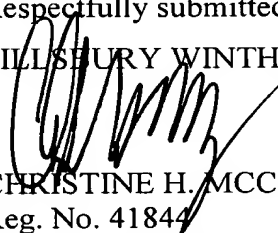
Applicant further submits that Kiesel actually teaches away from the claimed invention by suggesting that the projection 22 should be dimensioned such that it does not protrude through the winding 17 (see Figs. 2 and 5). Based on such teaching a person skilled in the art would not have arrived at the claimed solution wherein the grip surface is located further away from the holder than the outermost point of the common mode choke.

Accordingly, independent claim 10 and its dependent claims 12-17 and 19-20 are allowable over the teachings of Kiesel.

All rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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